

From: Fullagar, Jill
To: Carlin, Jayne
Sent: 8/7/2014 12:17:39 PM
Subject: RE: CZARA Considerations for WA NPS Plan

Thanks. I'll pass it along.

*****note new name and email

Jill Fullagar (formerly Gable) Impaired Waters Coordinator
Watershed Unit, Office of Water and Watersheds
US EPA, Region 10
1200 Sixth Avenue, Suite 900 (OWW-134)
Seattle, WA 98101-3140
(206) 553-2582, (206) 553-0165 (fax)
fullagar.jill@epa.gov

From: Carlin, Jayne
Sent: Thursday, August 07, 2014 7:58 AM
To: Fullagar, Jill
Cc: Wayne, Don; Croxton, Dave
Subject: CZARA Considerations for WA NPS Plan

Hi Jill,

Don provided comments pertaining to CZARA concerns on the Oregon NPS plan (which is out for public review).

Non-Responsive

Jayne
Jayne Carlin, Watersheds Unit
US EPA, Region 10
1200 6th Ave, Suite 900 (OWW-134)
Seattle, WA 98101-3140
(206) 553-8512, (206) 553-0165 (fax)
carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

From: Wayne, Don
Sent: Thursday, August 07, 2014 7:39 AM
To: Carlin, Jayne
Cc: Hall, Lynda
Subject: RE: Draft Oregon NPS Plan Ready for CZARA Review; Comments Due by Sept 2

Jayne,

My comments are along the lines of how will Oregon show that it is implementing the CZARA management measures through this NPS MP update (rather than merely providing us a summary description of what they've already submitted to us in March)? I would look for something in the milestones that shows tracking for various management measures. Not all MMs, but the ones EPA and the state think are most critical. Oregon might also mention its intent to use a section of their 319 annual reports to report out on the results of their tracking and monitoring for MM implementation (and I would encourage them—and all coastal states to take this approach). I don't see these pieces in this draft.

Don

From: Carlin, Jayne
Sent: Thursday, August 07, 2014 10:31 AM
To: Wayne, Don; Hall, Lynda; Sweeney, Stephen; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Solloway, Chris; allison.castellan@noaa.gov

Subject: Draft Oregon NPS Plan Ready for CZARA Review; Comments Due by Sept 2

Hi All,

This is the version (<http://www.deq.state.or.us/wq/nonpoint/plan.htm>) we should review from the OR CZARA perspective. Comments are due to Don Y by September 2.

Rick reviewed the preliminary draft and provided comments which Don Y state he addressed. Then Rick [Ex. 5 - Personal Privacy] and Martha replaced him as the Oregon NPS Coordinator. Don then sent out the next version to his agency and other sister state agencies. He revised the plan based on their comments and offered us an opportunity to review that draft before going through the public participation process. Due to Rick's [Ex. 5 - Personal Privacy] and the heavy workload to get the grant out, our heavy CZARA workload and the desire to keep the process moving etc. so that the September 30 deadline could be met, we decided to have that version move forward through public review and provide our comments during the public comment period.

I will set aside some time in late August to discuss our thoughts and comments.

Cheers,

Jayne

Jayne Carlin, Watersheds Unit

US EPA, Region 10

1200 6th Ave, Suite 900 (OWW-134)

Seattle, WA 98101-3140

(206) 553-8512, (206) 553-0165 (fax)

carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

From: Waye, Don

Sent: Thursday, August 07, 2014 7:16 AM

To: Hall, Lynda; Sweeney, Stephen; Carlin, Jayne; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Solloway, Chris; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Oregon's NPs MP update is out for public comment now:

<http://www.deq.state.or.us/wq/nonpoint/plan.htm>

Also, Oregon posted its March 20, 2014 CZARA submittal to NOAA/EPA on its main NPS page here:

<http://www.deq.state.or.us/wq/nonpoint/nonpoint.htm>

From: Hall, Lynda

Sent: Wednesday, August 06, 2014 5:15 PM

To: Sweeney, Stephen; Carlin, Jayne; Waye, Don; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Solloway, Chris; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Steve,

Non-Responsive

From: Sweeney, Stephen

Sent: Wednesday, August 06, 2014 3:17 PM

To: Carlin, Jayne; Waye, Don; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Hall, Lynda; Solloway, Chris; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Ex. 5 - Attorney Client

From: Carlin, Jayne

Sent: Wednesday, August 06, 2014 3:14 PM

To: Sweeney, Stephen; Waye, Don; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Hall, Lynda; Solloway, Chris; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Ex. 5 - Attorney Client

Non-Responsive

Jayne Carlin, Watersheds Unit

US EPA, Region 10

1200 6th Ave, Suite 900 (OWW-134)

Seattle, WA 98101-3140

(206) 553-8512, (206) 553-0165 (fax)

carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

From: Sweeney, Stephen

Sent: Wednesday, August 06, 2014 11:54 AM

To: Waye, Don; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Hall, Lynda; Solloway, Chris; Carlin, Jayne; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Don,

Ex. 5 - Attorney Client

Non-Responsive

Steve

From: Waye, Don

Sent: Wednesday, August 06, 2014 2:01 PM

To: Sweeney, Stephen; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Hall, Lynda; Solloway, Chris; Carlin, Jayne; allison.castellan@noaa.gov

Subject: RE: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Steve, JB & Jeff,

My apologies for burdening you with my previous email (below). I believe we have already discussed this question with you. Jayne reminded me of where we landed, which I agree with. No need for you to respond unless you disagree with the approach described below. Thanks.

From Jayne:

Ex. 5 - Attorney Client

Don Waye

U.S. EPA - Nonpoint Source Control Branch

Phone: 202-566-1170

From: Waye, Don

Sent: Wednesday, August 06, 2014 1:07 PM

To: Sweeney, Stephen; Byrne, Jennifer; 'jeff.dillen@noaa.gov'

Cc: Hall, Lynda; Solloway, Chris

Subject: Oregon CZARA Legal Question on mixing approval and disapproval decisions in the Jan. 2015 final decision document

Steve, JB & Jeff,

Ex. 5 - Attorney Client

This gets tricky...

Don Waye

U.S. EPA - Nonpoint Source Control Branch

Phone: 202-566-1170

From: Waye, Don

Sent: Wednesday, August 06, 2014 12:54 PM

To: 'Allison Castellan - NOAA Federal'

Cc: Carlin, Jayne

Subject: RE: Briefing Updates for Mngt

I saw that she added the following 2 new bullet headings, but did not supply any information around them:

- Concern Raised in Proposed Decision:

And

- Concerns raised during public comment period:

For the first bullet, I'd say "None."

As for filling in the second bullet, I'll need to get back with you and Jayne. I have a working file for the comments on New Dvpt and OSDS as I prepare for our response to comments document, but it is not with me now. But as I recall, there was no new information generated in the comments that I believe rise to the level of a real concern. Folks either agreed or disagreed with our Dec. 2013 proposed decision to disapprove OR's New Dvpt MM and none really challenged the basis we are now citing for approval, mostly because that information was not available until after March 20th. So the public has not been presented with a chance to comment on a decision to approve this MM.

Ex. 5 - Attorney Client

From: Allison Castellan - NOAA Federal [<mailto:allison.castellan@noaa.gov>]

Sent: Wednesday, August 06, 2014 12:04 PM

To: Waye, Don

Cc: Carlin, Jayne; Henning, Alan; Wu, Jennifer; Solloway, Chris; Flahive, Katie; Melissa Rada - NOAA Affiliate

Subject: Re: Briefing Updates for Mngt

Yep. That was a big error on my part. Alan caught that yesterday and I already corrected. Thanks for taking a look. Do you have info on comments we received on new devel to add? See Jayne's added section for that.

On Wed, Aug 6, 2014 at 11:47 AM, Waye, Don <Waye.Don@epa.gov> wrote:

Allison,

Thanks for getting this going, Allison. My edits consisted of adding 3 letters to Jayne's revised version, as follows:

Forestry Landslides:

- Recommended Decision: **Disapprove**

See attached.

Don

From: Carlin, Jayne

Sent: Tuesday, August 05, 2014 8:32 PM

To: allison.castellan@noaa.gov

Cc: Henning, Alan; Waye, Don; Wu, Jennifer; Solloway, Chris; Flahive, Katie; Melissa Rada - NOAA Affiliate

Subject: RE: Briefing Updates for Mngt

I really like this document, Allison. See my comments and thoughts on the attached. Sorry about not providing a tracked version. I forgot to put the tracking feature on.

Jayne

Jayne Carlin, Watersheds Unit
US EPA, Region 10
1200 6th Ave, Suite 900 (OWW-134)
Seattle, WA 98101-3140
(206) 553-8512, (206) 553-0165 (fax)
carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

From: Allison Castellan - NOAA Federal [<mailto:allison.castellan@noaa.gov>]

Sent: Tuesday, August 05, 2014 12:52 PM

To: Carlin, Jayne

Cc: Henning, Alan; Waye, Don; Wu, Jennifer; Solloway, Chris; Flahive, Katie; Melissa Rada - NOAA Affiliate

Subject: Re: Briefing Updates for Mngt

My apologies. Please see this attachment.

On Tue, Aug 5, 2014 at 3:34 PM, Allison Castellan - NOAA Federal <allison.castellan@noaa.gov> wrote:
All--

After our call, I went ahead and converted my "issue" paper on unsolicited comments into a shorter "update" for mngt. In doing so, I went ahead and took a stab at some of the other "updates" we wanted to share related to new devel, landslides, and a general update on responding to comments (we didn't discuss but thought this would be helpful).

The new devel and landslides are more of place holders for now so topic leads please revise as necessary. Not sure if this is the right level of detail for not for these items.

Allison

On Tue, Aug 5, 2014 at 12:47 PM, Carlin, Jayne <Carlin.Jayne@epa.gov> wrote:

Hi Alan,

Great paper. See attached for another option to consider and very minor edits.

Jayne

Jayne Carlin, Watersheds Unit
US EPA, Region 10
1200 6th Ave, Suite 900 (OWW-134)
Seattle, WA 98101-3140
(206) 553-8512, (206) 553-0165 (fax)
carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

From: Henning, Alan

Sent: Tuesday, August 05, 2014 8:56 AM

To: Carlin, Jayne; Waye, Don; Croxton, Dave; Wu, Jennifer; allison.castellan@noaa.gov; Solloway, Chris; Flahive, Katie; Rueda, Helen; Parry, Roberta; Melissa Rada - NOAA Affiliate

Cc: Psyk, Christine; Hall, Lynda; Joelle Gore - NOAA Federal; Sweeney, Stephen; Byrne, Jennifer; jeff.dillen@noaa.gov

Subject: RE: Agenda for Aug 5 OR CZARA Call (10 AM WA/OR or 1 PM DC or Dave's Office)

Non-Responsive

All,

Attached is a more current "Forestry Riparian" Issues Document. This explores three different options vs one. Feel free to give me a call if you have any questions.

Alan

From: Carlin, Jayne

Sent: Monday, August 4, 2014 6:56 PM

To: Waye, Don; Croxton, Dave; Henning, Alan; Wu, Jennifer; allison.castellan@noaa.gov; Solloway, Chris; Flahive, Katie; Rueda, Helen; Parry, Roberta; Melissa Rada - NOAA Affiliate

Cc: Psyk, Christine; Hall, Lynda; Joelle Gore - NOAA Federal; Sweeney, Stephen; Byrne, Jennifer; ['jeff.dillen@noaa.gov'](mailto:jeff.dillen@noaa.gov)

Subject: Agenda for Aug 5 OR CZARA Call (10 AM WA/OR or 1 PM DC **Non-Responsive** or Dave's Office)

OR CZARA

August 5 at 10 AM WA/OR or 1 PM DC

Non-Responsive or Dave's Office

Agenda

Updates:

Ø Status reports on Rationales/Comments/Issue Papers for:

- Legal
- Landslides
- OSDS,
- new development,
- pesticides
- ag
- riparian
- roads
- general

Ø Status report on:

- Written bimonthly update Emailed to NWEA
 - Issue list and leads (changes? Chris Solloway?)
 - Assigning unaddressed comment categories

Forestry/Riparian Issue Paper (see attached)

OSDS Issue Paper (Don will send)

Adequacy of OR's general monitoring and tracking efforts issue paper (see attached)

Action Items/Next Steps

OR CZARA EPA Penalties Paper (NOAA is excused)(see attached)

Upcoming Meetings

Aug 12: Prep for Managers Call: T-up issues that need to be elevated based on review of draft rationales/response to comments to date

Aug 14 Managers Call (Part 1)

Aug 19: Follow up from managers call; discuss any follow up issues that still need to be resolved based on review of draft rationales/response to comments to date

Aug 20 Managers Call (Part 2)

Aug 26: Lingering issues based on consolidated response to comments and decision rationale.

Jayne Carlin, Watersheds Unit
US EPA, Region 10
1200 6th Ave, Suite 900 (OWW-134)
Seattle, WA 98101-3140
(206) 553-8512, (206) 553-0165 (fax)
carlin.jayne@epa.gov

<http://www.epa.gov/r10earth/tmdl.htm>

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Allison Castellan
Coastal Management Specialist
Office of Ocean and Coastal Resource Management N/ORM3
National Oceanic and Atmospheric Administration, SSMC4
Silver Spring, MD 20910
Phone: 301-563-1125
Fax: 301-713-4004
allison.castellan@noaa.gov
<http://coastalmanagement.noaa.gov>

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Allison Castellan
Coastal Management Specialist
Office of Ocean and Coastal Resource Management N/ORM3
National Oceanic and Atmospheric Administration, SSMC4
Silver Spring, MD 20910
Phone: 301-563-1125
Fax: 301-713-4004
allison.castellan@noaa.gov
<http://coastalmanagement.noaa.gov>

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Allison Castellan
Coastal Management Specialist
Office of Ocean and Coastal Resource Management N/ORM3

National Oceanic and Atmospheric Administration, SSMC4
Silver Spring, MD 20910
Phone: 301-563-1125
Fax: 301-713-4004
allison.castellan@noaa.gov
<http://coastalmanagement.noaa.gov>